

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

EDDIE LEROY STEPHENS §
VS. § CIVIL ACTION NO. 1:07cv409
FEDERAL BUREAU OF PRISONS §

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Eddie LeRoy Stephens filed the above-styled civil rights lawsuit. The court referred the matter to the Honorable Earl S. Hines, United States Magistrate Judge. The magistrate judge has submitted a Report and Recommendation recommending this lawsuit be dismissed for want of prosecution.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the records, pleadings and all available evidence. No objections to the Report and Recommendation were filed by the parties.

However, plaintiff subsequently filed a motion requesting that this action be dismissed. Pursuant to Federal Rule of Civil Procedure 41(a), plaintiff is entitled to voluntarily dismiss his claims prior to the service of any adverse parties.

ORDER

Accordingly, plaintiff's motion for voluntary dismissal is **GRANTED**. The report of the magistrate judge is **ADOPTED** to the extent it recommends dismissal of this action. A final judgment will be entered dismissing this lawsuit.

So **ORDERED** and **SIGNED** this 1 day of September, 2007.



Ron Clark, United States District Judge